

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable James A. Ardaiz, Presiding Justice; and Eve Sproule, Court Administrator/Clerk, by Elaine J. Duffy, Supervising Deputy Clerk.

F033824	Lasoya v. Klein
F035548	In re Andrew B., a Minor
F035800	In re James R., a Minor
F035919	People v. Sanders
F035937	In re Daniel W., a Minor
F036327	People v. Jaramillo

Contempt Hearing on Orders to Show Cause as to Helyn A. Johnson, Official Reporter of the Superior Court, County of Fresno, called. Helyn A. Johnson present with counsel Franz Criego. Matter was previously continued on calendar for determination of whether or not Helyn A. Johnson has completed all outstanding transcripts before this court, and to review the costs attributable to the record problems in the above-entitled matters.

The Court verified with Mr. Criego that all transcripts for which Helyn A. Johnson is currently responsible have been submitted to either this court or superior court.

The Court reviewed the costs to the court to reimburse appointed counsel for time spent reviewing defective transcripts and requesting augmentation and/or corrections of the record. The court verified with Mr. Criego that he had received and reviewed the letters to this court from appointed counsel setting forth expenditures by counsel attributable to court reporter errors. Mr. Criego did not challenge any of the billings. Actual costs to the court were in excess of \$7,000.

Court proposed that Ms. Johnson serve two days in the Adult Offender Program in each case (total of 12 days), in lieu of an aggregate fine of \$6,000 (\$1,000 for each contempt) to reimburse the court for costs. The only monetary fine would be \$177.00 for reimbursement of court reporter costs. Ms. Johnson declined the proposed offer and chose to pay the \$6,000 fine.

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It is this court's judgment and decision that the five days in custody in each case previously imposed be suspended, and that the fine of \$1,000 in each case be imposed, for an aggregate fine of \$6,000. The actual costs to the court are calculated to be \$29.23 in *Losoya v. Klein*, F033824; \$4,956.73 in *In re Andrew B.*, F035548; \$2,189.23 in *In re James R.*, F035800; \$29.23 in *In re Daniel W.*, F035937; \$213.98 in *People v. Sanders*, F035919; \$172.23 in *People v. Jaramillo*, F036327, which is a total of \$7,590.63. The Court also has exposure to additional costs attributable to court reporter errors by Helyn A. Johnson in *People v. Haaland*, F036474, \$450.50; \$68.59 in *People v. Dotson* F036683 and \$262.50 in *People v. Coldren*, F035503, for an additional \$781. With respect to the latter costs, the court will waive them in lieu of payment of the \$6,000 fine. Ms. Johnson is ordered to make six payments, in the amount of \$1,000 each, with the first payment being due on April 16, 2001. The five remaining payments of \$1,000 each are due on the 15th of each month thereafter until said fine is paid in full.

Court Adjourned

F032681 *People v. Loera et al.*

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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- F034839 People v. Lorta**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F037310 People v. Lang**
No brief having been filed by appellant after notice duly given under rule 17(c) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.
- F034027 H. Wayne Findley, Jr., et al. v. Farmers Insurance Exchange, et al.**
The judgment is reversed. Buckley, J.
We concur: Vartabedian, Acting P.J.; Cornell, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F033328 People v. Sylvester**
The judgment is affirmed with modifications.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F036820 In re Ariel R., a Minor**
Stanislaus County Community Services Agency v. Allen R.
No brief or request for extension of time having been filed within the time provided, the appeal is dismissed.
- F036912 In re Eddie M., Jr., a Minor**
No brief or request for extension of time having been filed within the time provided, the appeal is dismissed.
- F034556 People v. Vasquez**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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F034764 People v. Duran

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F035438 People v. Rogers

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F035838 In re Brian W., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.